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Attorneys for Defendants, PRESIDIO TRUST and THE U.S. EQUAL EMPLOYMENT  
 OPPORTUNITY COMMISSION

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

PATRICIA JORDAN,

Plaintiff,

v.

PRESIDIO TRUST, and THE U.S. EQUAL  
 EMPLOYMENT OPPORTUNITY  
 COMMISSION,

Defendants.

Case No. 16-cv-02122 KAW

STIPULATED REQUEST FOR ORDER  
 CHANGING TIME TO RESPOND TO  
 PLAINTIFFS' COMPLAINT AND TO  
 MODIFY BRIEFING SCHEDULE

1 Pursuant to Civil Local Rules 6-1(b) and 6-2 of the Northern District of California,  
2 plaintiff Patricia Jordan (“plaintiff”) and defendants the Presidio Trust and the U.S. Equal  
3 Employment Opportunity Commission (collectively, “defendants”), by and through their  
4 respective counsel, respectfully submit this stipulated request to: (1) extend the time for  
5 defendant to respond to plaintiffs’ Complaint, and (2) modify the briefing schedule for  
6 defendants’ anticipated motion to dismiss as follows, as follows:

7 1. Defendants intend to respond to plaintiff’s Complaint by filing a motion to  
8 dismiss. Under the current schedule, defendants’ response (motion) is due on September 16,  
9 2016; plaintiff’s opposition to the motion is due two weeks later, on September 30, 2016; and  
10 defendants’ reply is due the following week, on October 7, 2016;

11 2. The parties agree that the briefing schedule should be modified due to the  
12 anticipated complexity of defendants’ forthcoming motion, which defendants represent will raise  
13 jurisdictional issues and will also argue that plaintiff has failed to state a claim upon which relief  
14 will be granted. The commentary to the Civil Local Rules instructs that the default two weeks  
15 for an opposition and one week for a reply “are minimum time periods,” and that for “complex  
16 motions,” such as the one that defendants anticipate filing here, “parties are encouraged to  
17 stipulate or seek a Court order establishing a longer notice period with correspondingly longer  
18 periods for response or reply.” Civil. L.R. 7-2 Commentary.

19 3. In addition, defendants represent that their motion must be reviewed by multiple  
20 federal agencies before it can be filed, and additional time is needed due to the press of business.  
21 Similarly, the press of business informs the parties’ agreement that the timeframes for the  
22 opposition and the reply should be enlarged, since counsel for the parties must also continue their  
23 work on other matters during the time allowed for the briefing here.

24 4. For these reasons, the parties request that the Court enter the following stipulated  
25 briefing schedule: defendants’ motion to dismiss due by Monday, September 26; plaintiffs’  
26 opposition due by Friday, November 4; defendants’ reply due by Thursday, Nov. 17.

5. The requested briefing schedule will alter the current deadline (of September 16) for defendants' response to the Complaint. One prior extensions of time has previously been requested and granted; on August 30, 2016, the Court granted defendants' request to extend the deadline for responding to the Complaint. *See* ECF No. 30.

6. The requested time modification will not alter any other event or deadline. The next case management conference in this case is scheduled for November 29, 2016 at 1:30pm, and the parties are to file a Case Management Statement by November 22.

IT IS SO STIPULATED AND REQUESTED.

Dated: September 16, 2016

/s/ Timothy S. Thimesch

TIMOTHY S. THIMESCH, ESQ.

THIMESCH LAW OFFICES

Attorneys for Plaintiff PATRICIA JORDAN

Dated: September 16, 2016

/s/ Lisa Zeidner Marcus

LISA ZEIDNER MARCUS<sup>1</sup>

Counsel for Defendants

PRESIDIO TRUST; and THE U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

**[Proposed] ORDER**

Pursuant to stipulation, it is SO ORDERED.

DATE: 9/21/16

Kandis Westmore

HON. KANDIS A. WESTMORE

UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> I, Lisa Zeidner Marcus, hereby attest, in accordance with the Civil L.R. 5-1(i)(3), the concurrence in the filing of this document has been obtained from the other signatory listed here.